



Via electronic mail

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June 18, 2012

Rick Sullivan, Secretary
Executive Office of Energy & Environmental Affairs
100 Cambridge Street
Boston, MA 02108

Mark Sylvia, Commissioner
Department of Energy Resources
100 Cambridge Street
Boston, MA 02108

Re: Proposed Final Regulations Governing Eligibility of Biomass under the MA RPS
225 CMR 14.00 et seq.

Dear Secretary Sullivan and Commissioner Sylvia:

Many thanks to you and your respective staffs for the excellent work that underpins the proposed final regulations for biomass under the Renewable Portfolio Standard. It is heartening to see regulations based on sound science and again our thanks for commissioning the Manomet Report and for using it to guide the development of regulations that will set a standard not only for Massachusetts but perhaps for the rest of the country.

As you well know, understanding the carbon emissions from a particular type of fuel source is difficult, but the proposed final regulations do a good job of using the science to 1) understand the impacts of different types of woody biomass and the impacts of different harvesting methods, and 2) account for carbon release (or retention) by examining the needs and functions of forest ecosystems.

Specifically, we support the revised GHG accounting that distinguishes between harvest byproducts and thinning. This change should promote more use of residues from already harvested trees rather than thinning solely for biomass purposes. Further, the change that requires 25% of residues to remain in the forest to support ecological functions and 100% of residues to be left where soils are poor, is a noteworthy improvement to the regulations.

We also support the increased energy efficiency requirement for facilities from 40% to 50%. That said, we urge the state to go even further as we know that technologies that are commercially available can achieve efficiencies in the 60-80% range. Surely, if these facilities are to be eligible for Renewable Energy Credits, they should be as efficient as possible.

One issue of concern is the inclusion of merchantable bioproducts in the calculation of a facility's energy efficiency. We are puzzled by this approach and believe it could lead to, at best, confusion, and, at worst, subversion of the intent of the regulations re: energy efficiency. Given that we need the best efficiency outcomes particularly if RECs are to be applied, and that other states are looking to Massachusetts' regulations as a model, we urge you to eliminate this provision.

Thank you for the opportunity to comment. In closing, we commend the state for its deft and balanced approach to these issues and for its commitment to meeting our ambitious GHG reduction targets.

Sincerely,

Nancy Goodman
Vice President for Policy